

HOUSE AMENDMENT NO.____
TO
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Offered By

AMEND House Amendment No.____ to House Bill No. 503 Page __1__ Line __4__ by deleting the word "ten" and inserting in lieu thereof the word "three"; and

Further amend said amendment and page, Line 29 by deleting all of said line and inserting in lieu thereof the following:

"is insolvent, the court may extend the maintenance obligation past the termination date.

5. Notwithstanding the provisions of subdivision (1) of subsection 4 of this section, maintenance orders may be extended for the following reasons:

(a) The recipient is enrolled in an education secondary, post secondary, graduate, or technical training program. Maintenance granted under this paragraph shall be to provide a standard of living for the recipient. Additionally, the recipient shall maintain at least twelve credit hours and must receive passing grades in the courses of instruction. Any maintenance granted under this paragraph shall include a termination date of not more than ten years from the date of entry of the original order; except that, any maintenance obligation which is in arrearage at the scheduled termination date shall not terminate until the obligor has repaid such arrearage in full. No additional obligation shall accrue during the repayment of any arrearage.

(b) The recipient has developed physical, emotional, or mental health issues during the duration of the marriage or such condition has progressed during the marriage to where the recipient is unable to provide for themselves. Any maintenance granted under this paragraph may extend the termination date until he recipient is able to provide for himself or herself or the recipient passes away.

(c) At least one minor child of the marriage physically lives in the home of the recipient. Maintenance granted under this subsection shall be for a reasonable time period, as decided by the court.

(d) At least one minor child of the marriage is enrolled in a post-secondary or technical training program. Additionally, the child of the marriage shall maintain at least twelve credit hours and must receive passing grades in the courses of instruction. Maintenance under this subdivision shall terminate when the child turns twenty-one or completes the course of education, whichever is sooner.

(e) A child of the marriage has developed physical, emotional, or mental health issues or such condition has progressed to where the child is unable to provide for himself or herself. Any maintenance granted under this paragraph may extend the termination date until the child is able to provide for himself or herself or the child passes away.

Action Taken _____ Date _____

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1 (f) Pursuant to any valid settlement agreement entered into by both parties to the marriage.

2 (g) The recipient's age is such that the option in subdivision (a) of this subsection would not
3 provide the recipient with a realistic opportunity to achieve a standard of living that was experienced
4 during the marriage.

5 (h) The court finds that fundamental fairness requires a continuation of maintenance. The
6 court must clearly and in a detailed manner, explain the rational for continuing maintenance under
7 this subdivision in the divorce decree."; and

8
9 Further amend said bill, page, and section, Line 36, by deleting the number "5" and inserting
10 in lieu thereof the number "6"; and"; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.